

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

<b>MARIELLE (“MOLLY”) KRONBERG, )</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 1:09cv947</b>
	)	<b>AJT/TRJ</b>
<b>LYNDON LAROCHE, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**DEFENDANTS’ MOTION TO DISMISS**

Defendants, by counsel and pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, hereby move to dismiss the First Amended Complaint (“Complaint”) filed against them on the following grounds:

1. Count I of the Complaint, which purports to allege a conspiracy 42 U.S.C. § 1985, should be dismissed because Plaintiff lacks standing to pursue a conspiracy claim under 42 U.S.C. § 1985.
2. Additionally, Count I should be dismissed because Plaintiff fails to plead sufficient facts to plausibly set forth a cause of action for conspiracy.
3. Count I fails for the added reason that it is precluded by the doctrine of intracorporate immunity.
4. Finally, Count I is barred by the statute of limitations to the extent it alleges wrongful conduct predating August 21, 2007.
5. If the Court dismisses Count I, Count II (libel per se) should be dismissed for lack of jurisdiction.

6. Additionally, Count II fails to state a claim, because Plaintiff has failed to set forth the exact words of each defamatory statement for which relief is sought and fails to allege statements that would constitute defamation *per se*.

7. Count II also is time barred to the extent it seeks to rely on statements made in 2007 and 2008.

8. Finally, Plaintiff fails to state a claim to the extent she seeks recovery for intentional infliction of emotional distress.

In support of this motion, Defendants submit the accompanying memorandum of law.

Respectfully submitted,

All Defendants  
By Counsel

\_\_\_\_\_/s/\_\_\_\_\_  
Edward B. MacMahon, Jr. (VSB # 25432)  
Law Office of Edward B. MacMahon, Jr.  
107 East Washington Street  
P. O. Box 25  
Middleburg, Virginia 20118  
(540) 687-3902  
(540) 687-6366 (facsimile)  
ebmjr@verizon.net  
*Counsel for Lyndon LaRouche and  
EIR News Services, Inc.*

\_\_\_\_\_/s/\_\_\_\_\_  
Bernard J. DiMuro, Esq. (VSB # 18784)  
Hillary J. Collyer, Esq. (VSB #50952)  
DIMUROGINSBERG, P.C.  
908 King Street, Suite 200  
Alexandria, Virginia 22314  
Phone: (703) 684-4333  
Fax: (703) 548-3181  
Email: [bdimuro@dimuro.com](mailto:bdimuro@dimuro.com);  
[hcollyer@dimuro.com](mailto:hcollyer@dimuro.com)  
*Counsel for Defendants Barbara Boyd and Lyndon  
LaRouche Political Action Committee, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on October \_\_, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing (NEF) to the following:

John Bond, Esq.  
LAW OFFICE OF JOHN BOND, PLLC  
10617 Jones Street, Suite 101  
Fairfax, Virginia 22030  
Phone: (703) 359-7116  
Fax: (703) 359-7120  
Email: [jbond@jbondlaw.com](mailto:jbond@jbondlaw.com)  
*Counsel for Plaintiff*

John J.E. Markham, II, Esq.  
MARKHAM & READ  
One Commercial Wharf West  
Boston, Massachusetts 02110  
Phone: (617) 523-6329  
Fax: (617) 742-8604  
Email: [jmarkham@markhamread.com](mailto:jmarkham@markhamread.com)  
*Of Counsel for Plaintiff: Admitted pro hac vice*

\_\_\_\_\_/s/  
Bernard J. DiMuro (VSB # 18784)  
Hillary J. Collyer, Esq. (VSB #50952)  
DIMUROGINSBERG, P.C.  
908 King Street, Suite 200  
Alexandria, Virginia 22314  
Phone: (703) 684-4333  
Fax: (703) 548-3181  
Email: [bdimuro@dimuro.com](mailto:bdimuro@dimuro.com);  
[hcollyer@dimuro.com](mailto:hcollyer@dimuro.com)  
*Counsel for Defendants Barbara Boyd  
and Lyndon LaRouche Political Action  
Committee, Inc.*